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Alfred A. Stadnicki
Fifth Floor
1146 Nineteenth Street, NW
Washington, DC 20036

EXAMINER

GRAHAM, CLEMENT B

ART UNIT PAPER NUMBER

3692

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,627

Applicant(s)

KITCHEN ET AL.

Examiner

Clement B. Graham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-33, are rejected under 35 U.S.C. 102(b) as being anticipated by Landry US Patent No: 5, 649, 117.

As per claim 1, Landry discloses a method of electronically presenting billing information, comprising the steps of:

receiving billing information associated with a plurality of different billers, a first portion of the billing information representing bills for a first payor and a second portion of the billing information representing bills for a second payor (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67)
receiving a first request from the first payor for current billing information representing bills for the first payor and a second request from the second payor for current billing information representing bills for the second payor; and
transmitting first bill presentment information corresponding to the first portion of the billing information to the first payor responsive to the first request and second bill presentment information corresponding to the second portion of the billing information to the second payor responsive to the second request.(note abstract and see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 2, Landry discloses further comprising the steps of:
transmitting a first notice to the first payor of the availability of the first bill presentment information and a second notice to the second payor of the availability of the second bill presentment information;

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wherein the first request is received responsive to the first notice and the second request is received responsive to the second notice.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 3, Landry discloses wherein:

the first notice is included in a first e-mail transmission to the first payor; and the second notice is included in a second e-mail transmission to the second payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 4, Landry discloses wherein:

the first e-mail and the second e-mail are transmitted via the Internet. .(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 5, Landry discloses further comprising the steps of:

transmitting a first notice to the first payor of the availability of the first bill presentment information wherein the first request is received subsequent to the transmission of the first notice; and transmitting, subsequent to the receipt of the first request, a second notice to the first payor of the availability of the first bill presentment information if the bills represented by the first portion of the billing information remain unpaid for a specified period of time after transmission of the first bill presentment information to the first payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 6, Landry discloses wherein the billing information is first billing information and the plurality of different billers is a plurality of different first billers, and further comprising the steps of receiving, subsequent to the receipt of the first billing information, second billing information associated with a plurality of different second billers, a first portion of the second billing information representing bills for the first payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) receiving a third request from the first payor for then current billing information; and transmitting third bill presentment information corresponding to the first portion of the first billing information and the first portion of the second billing information to the first payor

responsive to the third request. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 7, Landry discloses wherein a second portion of the second billing information represents bills for the second payor, and further comprising the steps of

receiving notice of payment of the bills represented by the second portion of the first billing information; receiving, subsequent to receipt of the notice of payment, a fourth request from the second payor for then current billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) and transmitting fourth bill presentment information corresponding to the second portion of the second billing information to the second payor, without transmitting the the second bill presentment information, responsive to the third request. .(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 8, Landry discloses wherein the billing information is first billing information and the plurality of different billers is a plurality of different first billers, and further comprising the steps of receiving, subsequent to the receipt of the first billing information, second billing information associated with a plurality of different second billers, a first portion of the second billing information representing bills for the first payor receiving notice of payment of some of the bills represented by the first portion of the first billing information; receiving, subsequent to receipt of the notice of payment, a third request from the first payor for then current billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) and transmitting the first bill presentment information, excluding that corresponding to the first portion of first billing information representing bills for which the notice of payment has been received, and third bill presentation information corresponding to the first portion of the second billing information to the first payor responsive to the third request.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 9, Landry discloses further comprising:

storing the first bill presentment information in association with an identifier of the first payor and the second bill presentment information in association with an identifier of the second payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) and deading the first bill presentment information from storage responsive to the first request and the second bill presentment information from storage responsive to the second request.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) wherein the first bill presentment information read from storage is transmitted to the first payor and the second bill presentment information read from storage is transmitted to the second payor..(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 10, Landry discloses wherein:
the transmitted first bill presentment information includes a listing, displayable as single page, of respective billed amounts owed by the first payor to each 5 of more than one of the plurality of the different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and the transmitted second bill presentment information includes a listing, displayable as single page, of respective billed amounts owed by the second payor to each of more than one of the plurality of the different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 11, Landry discloses wherein:
the transmitted first bill presentment information includes a listing, displayable asrsingle page, of respective billed amounts paid by the first payor to each of more than one of the plurality of the different billers and transmitted second bill presentment information includes a listing, displayable as single page, of respective billed amounts paid by the second payor to each of more than one of the plurality of the different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 12, Landry discloses wherein:

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the first portion of the billing information is associated with only one of the plurality of different billers and the second portion of the billing information is associated with only one of the plurality of different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 13, Landry discloses wherein:

the billing information is detailed billing information; and
the first bill presentation information includes a 5 summary of the first portion of the detailed billing information associated with at least two of the plurality of different billers; and the second bill presentment information includes a summary of the second portion of the detailed billing information associated with at least two of the plurality of different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 14, Landry discloses wherein the billing information is first billing information and the plurality of different billers is a plurality of different first billers, and further comprising the steps of receiving, subsequent to the receipt of the first billing information, second billing information associated with a plurality of different second billers, a first portion of the second billing information representing bills for the first payor;

transmitting, prior to the receipt of the second billing information, a first notice to the first payor of the availability of the first bill presentation information transmitting, subsequent to transmission of the first bill presentment information and the receipt of the second billing information, a second notice of the availability of the first bill presentment information and second bill presentment information corresponding to the second billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) receiving a third request from the first payor for then current billing information; and

transmitting the first and the second bill presentation information to the first payor responsive to the third request. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

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As per claim 15, Landry discloses a n electronic bill presentment system, comprising:

a memory configured to store billing information associated with a plurality of different billers, a first portion of the billing information representing bills for a first payor and a second portion of the billing information representing bills for a second payor; a processor configured to generate first bill presentment information corresponding to the first portion of the billing information, second bill presentment information corresponding to the second portion of the billing information, a first signal directing transmission of the first bill presentment information responsive to a first request for current billing information, and a second signal directing transmission of the second bill presentment information responsive to a second request for current billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and a network interface configured to receive the first request from the first payor and the second request from the second payor, and to transmit the first bill presentment information to the first payor responsive to the first signal and the second bill presentment information to the second payor responsive to the second signal.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 16, Landry discloses wherein:
the processor is further configured to generate a first notice of availability of current billing information, a second notice of availability of current 5 billing information, a third signal directing the transmission of the first-,notice of availability and a fourth signal fdirectionvthe transmission of the second notice of availability.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and the network interface is further configured to 10 transmit the first notice to the first payor responsive to the third signal and the second notice to the second payor responsive to the fourth signal.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 17, Landry discloses wherein:

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the third signal includes a network e-mail address of the first payor and the fourth signal includes a network e-mail address of the second payor. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 18, Landry discloses wherein:

the network e-mail address is the Internet e-mail address. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 19, Landry discloses wherein: the processor is further configured to generate a first notice of availability of current billing information and a third signal directing the transmission of the first notice of availability and a second notice of availability of current billing information and a fourth signal directing the transmission of the 'first notice of availability.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and the network interface is further configured to transmit the first notice to the first payor responsive to the third signal and the second notice to the first payor responsive to the fourth signal.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and the first request is received subsequent to the transmission of the first notice and the second notice is transmitted subsequent to the receipt of the of the first request. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 20, Landry discloses wherein:

the processor is configured to generate the second notice and the fourth signal only if the bills represented by the first portion of the billing information remain unpaid for a period of time after generation of the third signal. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 21, Landry discloses wherein:

the billing information is first billing information and the plurality of different billers is a plurality of different first billers;

the processor is further configured to:

direct the storage of the first billing information and [the) second billing information in the memory, and generate third bill presentment information

corresponding to at least a part of the first portion of the first billing information and a first portion of second billing information (associated with a plurality of different second biller the first portion of the second billing information representing bills for the first payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) and nerate a third signal directing the transmission of the third bill presentment information responsive to a third request for then current billing information; and
the network interface is further configured to: .receive the first billing information, receive the second billing information, .receive the third request from the first payor,
and transmit the third bill presentation information the first payor responsive to the third signal..(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 2, Landry discloses wherein:
a second portion of the second billing information represents bills for the second payor;
the processor is further configured to:
generate fourth bill presentment information corresponding to the second portion of the second billing information and excluding the second bill presentation information, and
generate a fourth signal directing transmission of the fourth bill presentment information, responsive to a fourth request for then current billing information. the network interface is further configured to: receive notice of payment of the bills represented by the second portion of the first billing information, receive, subsequent to receipt of the notice of payment, the fourth request from the second payor, and transmit the fourth bill presentment information to the second payor without transmitting the second bill presentment information, responsive to the fourth signal. .(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 23, Landry discloses wherein:

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the billing information is first billing information and the plurality of different billers is a plurality of different first billers, wherein:

the processor is further configured to:

direct the storage in memory of the first billing information and second billing information is associated with a plurality of different second billers the first portion of

the second billing information representing bills for the first payor, and generate third bill presentment information corresponding to the first portion of the first billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) excluding that representing bills for which notice of payment has been received, and the first portion of second billing information, and generate a third signal directing the transmission of the third bill presentment information responsive to a third request for then current billing information; and the network interface is further configured to: receive, subsequent to the receipt of the first billing information, the second billing information, receive the notice of payment of some of the bills represented by the first portion of the first billing information, receive, subsequent to receipt of the notice of payment, the third request from the first payor, and transmit the third bill presentment information, responsive to the third signal. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 24, Landry discloses wherein: the processor is further configured to:

direct storage of the first bill presentment information in association with an identifier of the firstpayor and the second bill presentment information in association with an identifier of the secondpayor, and read the first bill presentment information from storage responsive to the first requestand the second bill presentment information from storage responsive to the second request; the first signal directs the transmission of the first bill presentment information read from storage to the first payor and the second signal directs the second bill presentment information read from storage is transmitted to the second payor.

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.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 25, Landry discloses wherein the processor is further configured to:

generate the first bill presentment information to include a listing, displayable as single page, of respective billed amounts owed by the first payor to each of more than one of the plurality of the different billers, and generate the second bill presentment information to include a listing, displayable as single page, of respective billed amounts owed by the second payor to each of more than one of the plurality of the different billers. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 26, Landry discloses wherein the processor is further configured to:

generate the first bill presentment information to include a listing, displayable as single page, of respective billed amounts paid by the first payor to each of more than one of the plurality of the different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) and generate the second bill presentment information to include a listing, displayable as single page, of respective billed amounts paid by the second payor to each of more than one of the plurality of the different billers. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 27, Landry discloses wherein:
the first portion of the billing information is associated with only one of the plurality of different billers; and the second portion of the billing information is associated with only one of the plurality of different billers.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 28, Landry discloses wherein: the billing information is detailed billing information; and
the processor is further configured to generate the first bill presentation information to include a summary of the first portion of the detailed billing

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information associated with at least two of the plurality of different billers, and the second bill presentment information to include a summary of the second portion of the detailed billing information associated with at least two of the plurality of different billers. (see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67).

As per claim 29, Landry discloses wherein:

the billing information is first billing information and the plurality of different billers is a plurality of different first billers;

the processor is further configured to: generate third bill presentation information corresponding to a first portion of second billing information associated with a plurality of different second billers, the first portion of the second billing information representing bills for the first payor generate, prior to receipt of the second billing information, a first notice of the availability of the first bill presentation information and a third signal directing transmission of the first notice, generate.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67) subsequent to transmission of the first bill presentment information and the receipt of the second billing information, a second notice of the availability of the first bill presentment information and the third bill presentment information and a fourth signal directing transmission of the second notice, and generating a fifth signal directing the transmission of the first and third bill presentment information responsive to a third request for current billing information responsive to a third request for then current billing information.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67) the network interface is further configured to: receive the first billing information, receive the second billing information subsequent to receipt of the first billing, transmit, prior to the receipt of the second billing information, the first notice to the first payor responsive to the third signal, transmit the second notice to the first payor responsive to the fourth signal, receive, subsequent to transmission of the second notice, the third request from the first payor, transmit the first and the third

bill presentation information to the first payor responsive to the fifth signal. .(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 30, Landry discloses an electronic bill presentment network, comprising:

a communications network;

a plurality of biller stations each configured to transmit billing information associated with a respective one of a plurality of different billers via the network;

a network server configured to (i) receive the transmitted billing information, (ii) store the received billing information such that a first portion of the billing

information representing bills for a first payor is associated with the first payor

and a second portion of the billing information representing bills for a second payor is associated with the second payor.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8—37 lines 1-67)

a first client station configured to transmit, via the network, a first payor request for current billing information;

a second client station configured to transmit, via the network, a second payor request for current billing information;

wherein the network server is further configured to receive the first payor request and to transmit first bill presentment information corresponding to the first portion

of the billing information via the network responsive to the first request, and to

receive the second payor request and to transmit second bill presentment

information and second bill presentment information corresponding to the second

portion of the billing information via the network responsive to the second request.

.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 31, Landry discloses wherein:

the network station is further configured to transmit a first notice of availability of current billing information to the first payor via the network and a second notice of

availability of current billing information to the second payor via the network

subsequent to receipt of the billing information. .(see column 6 lines 31-67 and

column 6 lines 1-67 and column 8-37 lines 1-67).

As per claim 32, Landry discloses wherein: the communications network is the Internet. .(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

A system according to claim 33 wherein:
the first client station is configured to transmit, subsequent to the transmission of the first payor request, a second payor request for then current billing information via the network; and
the network server is further configured to receive notification of the payment of some of the bills represented by the first portion of the billing information, to receive the second payor request after receipt of the notice of payment, and to transmit the first bill presentment information corresponding to the first portion of the billing information representing only the remaining unpaid bills via the network responsive to the second payor request.(see column 6 lines 31-67 and column 6 lines 1-67 and column 8-37 lines 1-67).

CONCLUSION

3 The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Getchius et al (US 6,393,415 Patent) teaches adaptive partitioning techniques in performing query request and routing.

Ginter et al (US Patent 5,892,900) teaches system and methods for secure transaction management and electronic rights protection..

Roberta et al (US Patent 6,292,788) teaches methods of investment instruments for performing tan deferred real estate exchanges.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Sept 19, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628